



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Fax-On-Demand 202 / 418-2830
TTY 202 / 418-2555
Internet: <http://www.fcc.gov>
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DA 02-766
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WIRELINE COMPETITION BUREAU GRANTS CONSENT FOR TRANSFER OF CONTROL OF DOMESTIC SECTION 214 AUTHORIZATION FROM MCLEOD USA, INC. TO FORSTMANN LITTLE AND CO.

CC Docket No. 02-44

On February 22, 2002, McLeodUSA, Inc. ("McLeod"), McLeodUSA, Inc., Debtor-in-Possession ("McLeod DIP"), and Forstmann Little and Co. ("Forstmann Little") (collectively, "Applicants") filed an application pursuant to section 214 of the Communications Act of 1934, as amended ("Communications Act"), 47 U.S.C. § 214, requesting Federal Communications Commission ("Commission") approval to transfer control to Forstmann Little of a Commission authorization held by McLeod DIP and its subsidiaries to provide domestic communications services pursuant to part 63 of the Commission's rules.¹

Pursuant to section 214 of the Communications Act and sections 0.91, 0.291, and 63.01 of the Commission's rules,² the Wireline Competition Bureau approves the application requesting Commission consent to complete a transfer of control.³ No comments or petitions to deny were received in response to the Public Notice announcing that the application had been accepted for filing.⁴ The Bureau finds, upon consideration of the record, that the proposed transfer will serve the public interest, convenience, and necessity, and therefore grants the requested authorization. Grant of this application is conditioned, however, upon Applicant's agreement not to transfer this authorization unless and until the Commission grants the related international and wireless license transfer applications. This grant of authority is without

¹ See Application for Authority Pursuant to Section 214 of the Communications Act of 1934, as Amended, to Transfer Indirect Control of Authorized U.S. Domestic Interstate Carriers, CC Docket No. 02-44 (filed Feb. 22, 2002) (*Domestic 214 Application*).

² 47 C.F.R. §§ 0.91, 0.291, 63.01.

³ See *Domestic 214 Application*.

⁴ See *Commission Seeks Comment on Applications for Consent to Transfer Control Filed by McLeod USA Inc.*, Public Notice, CC Docket No. 02-44, DA 02-503 (rel. Mar. 1, 2002).

prejudice to Commission action on pending applications that seek consent to transfer control of authorizations and licenses of McLeod DIP.⁵

Pursuant to section 1.103 of the Commission's rules,⁶ the consent granted herein is effective upon release of this Public Notice. Pursuant to sections 1.106(f) and 1.115(a) of the Commission's rules,⁷ petitions for reconsideration and applications for review may be filed within thirty days of the release of this Public Notice.

For further information, contact Aaron Goldberger, Competition Policy Division, Wireline Competition Bureau, at (202) 418-1580.

⁵ See Applications of McLeodUSA, Inc., Debtor-in-Possession, for Consent to Transfer Control, ULS File Nos. 0000780266, 0000780484, 0000780578, 0000780722, and 0000780857 (filed Feb. 22, 2002). The International Bureau granted the transfer of control for the international section 214 authorizations (authorization numbers ITC-T/C-20020225-00087, ITC-T/C-20020301-00088, and ITC-T/C-20020301-00089) held by McLeodUSA Telecommunications Services, Inc., CapRock Telecommunications Corp., and IWL Communications, Inc. d/b/a CapRock Services Corp. on March 21, 2002, without prejudice to the related domestic 214 and wireless transfer applications. See *International Authorizations Granted*, Public Notice, DA 02-682, Report No. TEL-00511, at 5 (rel. Mar. 21, 2002); see also Application for Authority Pursuant to Section 214 of the Communications Act of 1934, as Amended, to Transfer Indirect Control of Authorized U.S. International Carriers (filed Feb. 22, 2002).

⁶ 47 C.F.R. § 1.103.

⁷ *Id.* §§ 1.106(f), 1.115(a).